

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 20-1489**September Term, 2022****NRC-40-9075-MLA****Filed On:** December 13, 2022

Oglala Sioux Tribe and Aligning for
Responsible Mining,

Petitioners

v.

U.S. Nuclear Regulatory Commission and
United States of America,

Respondents

Powertech (USA), Inc.,
Intervenor

BEFORE: Srinivasan, Chief Judge; Henderson, Millett, Pillard, Wilkins,
Katsas, Rao, Walker, Childs, and Pan*, Circuit Judges

ORDER

Upon consideration of petitioners' petition for rehearing en banc, the responses thereto, and the absence of a request by any member of the court for a vote, it is

ORDERED that the petition be denied.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Daniel J. Reidy
Deputy Clerk

* Circuit Judge Pan did not participate in this matter.